

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

State of Oklahoma,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05-cv-00329-GKF-PJC
)	
Tyson Foods, Inc., et al.,)	
)	
Defendants.)	
)	

**MOTION TO FILE UNDER SEAL EXHIBIT “O” TO DEFENDANTS’
RESPONSE TO STATE OF OKLAHOMA’S MOTION IN LIMINE
TO PRECLUDE EXPERT TESTIMONY OF DEFENDANTS’
WITNESS BILLY CLAY, PhD, (DKT. NO. 2061)**

Defendants hereby request this Court for permission to file under seal Exhibit “O” to their Response to the State of Oklahoma’s Motion in Limine to Preclude Expert Testimony of Defendants’ Witness Billy Clay, PhD. In support of this motion, Defendants state as follows:

1. Defendants are in the process of preparing their Response to the State of Oklahoma’s Motion in Limine to Preclude Expert Testimony of Defendants’ Witness Billy Clay, PhD, to be filed on June 5, 2009.

2. In support of this Response, Defendants intend to attach a certain document as an Exhibit that has been designated as confidential pursuant to the terms of the November 21, 2006 Confidentiality Order. Dkt. 985.

3. To prevent the disclosure of confidential information, the Defendants seek an Order allowing them to file said exhibits under seal. The Defendants make this request now to insure compliance with General Order 06-09, PACER Redactions.

4. Plaintiffs’ counsel has been contacted and does not object to this request.

WHEREFORE, premises considered, Defendants hereby request this Court to allow them to file under seal unredacted versions of Exhibit "O" to their Response to the State of Oklahoma's Motion in Limine to Preclude Expert Testimony of Defendants' Witness Billy Clay, PhD.

Dated: June 5, 2009

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on the 5th day of June, 2009, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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